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Date: March 3, 2005

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Number of pages (including this page): 4

F&B File No.: 75028- 309286  
Rec.: 993

From: Tong Wu

Telephone Number: 612/766-6804

To: Commissioner for Patents  
Art Unit: 3731Fax No.: 703-872-9306  
Phone No.: 703-305-3531

Patent &amp; Trademark Office, Technology Center 3700

Inventor(s): JACK A. DANT

Appln. No.: 10/663,212

Filing Date: September 15, 2003

Title: APPARATUS AND METHOD FOR  
SPINAL DISTRACTION USING A  
FLIP-UP PORTAL

Examiner:

Group Art Unit: 3731

Docket No. 75028-309286

Attached for filing:

Power of Attorney with Statement Under 37 CFR 3.73(b) and copy of Certificate of  
Amendment ( 3 pages).

M2:20696331.01

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PTO/SB/61 (FEB 2005)

<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	Application Number	10/663,212
	Filing Date	September 15, 2003
	First Named Inventor	Jack A. Dant
	Title	APPARATUS AND METHOD FOR SPINAL DISTRACTION USING A FLIP-UP PORTAL
	Art Unit	3731
	Examiner Name	
	Attorney Docket Number	75028-309286

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number: 43541

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number

OR

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OR


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Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	28 Feb 05
Name	Terry D. Schlotterback		
Title and Company	President, Zimmer Spine, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 2 forms are submitted.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SI-96 (29-04)

Approved for use through 7/31/2006. OMB 0651-0031

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Dant, Jack A.Application No./Patent No.: 10/663,211 Filed/Issue Date: 9/15/03Entitled: APPARATUS AND METHOD FOR SPINAL DISTRACTION USING A FLIP-UP PORTALZimmer Spine, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:1. From: Inventors To: Centerpulse Spine-Tech, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 014511, Frame 0624, or for which a copy thereof is attached.

2. From: Sulzer Spine-Tech, Inc. To: Centerpulse Spine-Tech, Inc.

A copy of the Certificate of Amendment of Certificate of Incorporation of Sulzer Spine-Tech, Inc. is attached.

3. From: Centerpulse Spine-Tech, Inc. To: Zimmer Spine, Inc.

The document was recorded in the United States Patent and Trademark Office at Reel 015642, Frame 0498, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. **]** See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Tong Wu  
SignatureMarch 3, 2005  
DateTong Wu  
Printed or Typed Name612/766-6804  
Telephone NumberAttorney  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 11:57 AM 10/01/2002  
020609078 - 2870689

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SULZER SPINE-TECH INC.**

Sulzer Spine-Tech Inc., a corporation duly organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"),

**DOES HEREBY CERTIFY:**

**FIRST:** That the Sole Director of the Corporation, by written consent, adopt a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of the Corporation:

**RESOLVED**, that the Certificate of Incorporation of Sulzer Spine-Tech Inc. be amended by changing Article I thereof so that, as amended, said Article I shall be and read as follows:

"The name of the corporation is Centerpulse Spine-Tech Inc. (hereinafter referred to as the "Corporation")."

**SECOND:** That the sole shareholder, by written consent, has given consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

**THIRD:** That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

**IN WITNESS WHEREOF**, Sulzer Dental Inc. has caused this Certificate to be executed by David S. Wise, its authorized officer, on this 30th day of September, 2002.

  
David S. Wise, Secretary

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